

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AUDREY L. KIMNER,  
Plaintiff,

v.

MARGARET A. POISSANT,  
Defendant.

Case No. [5:19-cv-07576-EJD](#)

**ORDER DISMISSING PLAINTIFF'S  
CLAIMS WITH PREJUDICE**

Re: Dkt. No. 13

On January 29, 2020, this Court determined that the *Rooker-Feldman* doctrine prevented Plaintiff Audrey Kimner from proceeding with her case and dismissed certain Defendants from the action. *See* Dkt. 13. The Court determined, however, that *Rooker-Feldman* did not affect Plaintiff's claim against Defendant Margaret Poissant. *Id.* But, because Plaintiff's Complaint failed to state a claim against Defendant Poissant, the Court granted Plaintiff until February 28, 2020 to amend her complaint. *Id.* The Court warned Plaintiff that the amended complaint must cure the deficiencies or Plaintiff's claims would be dismissed. *See id.* at 4. Plaintiff subsequently filed a motion for reconsideration, which the Court denied. *See* Dkt. 15. In its Order Denying Reconsideration, the Court again informed Plaintiff that she had until February 28, 2020 to file her amended complaint or her claims would be dismissed. *See* Dkt. 15. Despite this, Plaintiff has failed to file an amended complaint. Accordingly, Plaintiff's case is **DISMISSED with prejudice**. The Clerk shall close the file

**IT IS SO ORDERED.**

Dated: March 4, 2020



EDWARD J. DAVILA  
United States District Judge

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